



8. Failure to comply with the terms of this Stipulation and Consent Order shall be prima facie evidence of a violation of Iowa Code sections 543B.29(3), 543B.34(2) (1993).

9. This Stipulation and Consent Order shall be presented to the Commission in closed session by the prosecuting attorney and/or Commission staff. Respondent waives any right of notice of this meeting or any right which the Respondent might have to participate in the discussion of this Stipulation and Consent Order among the Commission, the Commission staff and the prosecuting attorney.

10. This Stipulation and Consent Order is not binding on the Iowa Real Estate Commission until it has been formally approved by a majority of the Commission members. In the event that this Stipulation and Consent Order is rejected by the Commission it shall be of no force or effect to either party.

THEREFORE, IT IS HEREBY ORDERED that Respondent be REPRIMANDED.

IT IS FURTHER ORDERED that Respondent will obtain an audit of all real estate trust accounts including property management trust accounts under the control of Jefferson Real Estate Company or Respondent for the twelve month period of January 1, 1992 to December 31, 1992. The audit will be conducted by a licensed Certified Public Accountant acceptable to the Commission, at the expense of the Respondent.

The audit shall be conducted pursuant to the requirements of 193E Iowa Administrative Code section 1.38(3)(4).

IT IS FURTHER ORDERED that the audit be delivered or mailed certified to the Executive Secretary of the Iowa Real Estate Commission, 1918 SE Hulsizer, Ankeny, Iowa, 50021, within 60 days of the acceptance of this settlement by the Commission.

Respondent agrees that further charges and disciplinary action may be taken by the Commission based on violations identified by the audit.

IT IS FURTHER ORDERED that at all future times Respondent shall fully and promptly comply with all pertinent orders of the Commission and the statutes and Commission rules regulating the practice of real estate.

This Stipulation and Consent Order is voluntarily entered into by the Respondent on this 27<sup>th</sup> day of May, 1993.

[Redacted Signature]

Charlotte J. Chick, Respondent

Subscribed and Sworn to before me on this 27<sup>th</sup> day of May, 1993.

[Redacted Signature]

Notary Public, State of Iowa

This Stipulation and Consent Order is accepted by the Iowa Real Estate Commission on the 15<sup>th</sup> day of JULY, 1993.

[Redacted Signature]

Russell D. Nading, Chairperson  
Iowa Real Estate Commission

cc: Attorney for Respondent, John W. Criswell  
Sherie Barnett, Assistant Attorney General

BEFORE THE IOWA REAL ESTATE COMMISSION  
1918 SE HULSIZER  
ANKENY, IOWA

JUN 1 1993

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IN RE:	)	CASE NUMBER: 92-024
CHARLOTTE J. CHICK (B03767)	)	
Broker	)	STATEMENT OF CHARGES
206 E. Boston Avenue	)	
Indianola, Iowa 50125	)	

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The Iowa Real Estate Commission has jurisdiction of this matter pursuant to Iowa Code Chapters 17A, 543B, and 347B (1991).

Licenses issued by the Commission are subject to the laws of the state of Iowa and to the administrative rules of the Commission.

Charlotte J. Chick is, and was at all times during the following events, a licensed real estate broker. Her license number is B03767. Charlotte J. Chick is a broker/officer of Jefferson Real Estate Company, F00725.

COUNT I

Respondent is charged with failing to obtain a written listing contract for the property located at 588 Hempstead Place, Prole, Iowa, at the time of entering into the listing agreement with the owners, Eldon V. and Judith A. Sanderson, in violation of Iowa Code sections 117.29(2) and (3) and 117.34(1) and (8) (1991) and Iowa Administrative Code chapter 193E, section 1.23(1991).

COUNT II

Respondent is charged with failing to obtain a written Agency Disclosure Statement signed by the buyer and the seller in the transaction in violation of Iowa Code sections 117.29(2) and (3) and 117.34(8) (1991) and Iowa Administrative Code chapter 193E section 1.37, 1.37(1) and (2) (1991).

CIRCUMSTANCES OF THE COMPLAINT

1. On or about July 1, 1991, Respondent entered into a verbal listing agreement with Eldon V. and Judith A. Sanderson to sell their property located at 588 Hempstead Place, Prole, Iowa.

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2. The listing agreement was never put into a written signed contract properly identifying the property and containing all of the terms and conditions under which the property was to be sold including a definite expiration date.


3. On July 24, 1991, Respondent prepared an offer for Douglas and Kathy Cross on the property which was accepted by the sellers on August 2, 1991.

4. Respondent did not obtain a written Agency Disclosure statement indicating who the Respondent represented in the transaction.

#### FINDING OF PROBABLE CAUSE

On April 21, 1993 the Investigation Committee of the Iowa Real Estate Commission found probable cause to file this Statement of Charges and to order that a hearing be set in this case.

*Dated: July 15, 1993*

  
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Roger L. Hansen  
Executive Secretary  
Iowa Real Estate Commission

cc: John W . Criswell, Attorney  
Sherie Barnett, Assistant Attorney General

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